



ATTORNEY DOCKET NO. 044137-5025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Alan SOLOMON *et al.*

Application No.: 09/316,387

Filed: May 21, 1999

For: METHODS FOR AMYLOID REMOVAL USING
ANTI-AMYLOID ANTIBODIES

Group Art Unit: 1647

Examiner: S. Turner

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated January 18, 2001.
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☒ Deposit of Microorganisms for the Purposes of Patent Procedure
 - ☒ Transmittal Form for the Deposit of Microorganisms

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

07/19/2001 CCHAU1 00000126 09316387

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445.00 OP

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PATENT
TECH CENTER 1600/2900
JUL 20 2001
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- [X] Applicant petitions for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 390.00	\$195.00
[X] three months	\$ 890.00	\$445.00
[] four months	\$1,390.00	\$695.00

Extension of time fee due with this request: **\$445.00**

If an additional extension of time is required, please consider this a Petition therefor.

4. Constructive Petition

- [x] **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §' 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	72	minus	22	50	x \$18 each=	+ \$900.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	3	1	x \$80 each=	+ \$80.00
[] First presentation of Multiple dependent claim(s)					\$270.00	+ \$ 270.00
SUB-TOTAL =						\$1,250.00
Reduction by 2 for filing by a small entity						- \$625.00
TOTAL FEE =						\$ 625.00

6. Fee Payment

☒ Check in the amount of \$1,070.00 for:

3-month Extension of Time	\$ 445.00
Additional Total Claims	\$ 450.00
Additional Independent Claims	\$ 40.00
Multiple Dependent Claims	<u>\$ 135.00</u>
TOTAL	\$1,070.00

The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.


☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 18, 2001

By:


Sally P. Teng
Reg. No. 45,397

CUSTOMER NO. 009629
MORGAN, LEWIS & BOCKIUS LLP
1800 M Street, N.W.
Washington, D.C. 20036-5869
202-467-7000



Attorney Docket No. 04437-5025

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application of:

Alan SOLOMON *et al.*

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USING ANTI-AMYLOID ANTIBODIES

Group Art Unit: 1647

Examiner: S. Turner

Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL FORM FOR THE DEPOSIT OF MICROORGANISMS

1. Transmitted herewith is a copy of the International Form according to the Budapest Treaty on The International Recognition of The Deposit of Microorganisms for The Purpose of Patent Procedure, as executed by Barbara M. Hailey, Administrator, Patent Depository of the American Type Tissue Culture Collection, which indicates that the original deposit of the biological material identified in this patent application was made on the filing date of said application in accordance with 37 C.F.R. § 1.804(a). Further, Applicants' undersigned hereby states upon information and belief that the deposited material identified in this application has been accepted under the Budapest Treaty and that the requirements for Deposit of Biological Material under 37 C.F.R. §§ 1.801-1.809 have been, and will continue to be, met.
2. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply. Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.


3. **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).
4. The Commissioner is also hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

Morgan, Lewis & Bockius LLP

Dated: July 18, 2001

By:


Sally P. Teng
Reg. No. 45,397

CUSTOMER NO. 009629
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1800 M Street, N.W.
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ATCC**COPY**

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**BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE****INTERNATIONAL FORM****RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2****To: (Name and Address of Depositor or Attorney)**

University of Tennessee Medical Center, Knoxville
Attn: Dr. Alan Solomon
Human Immunology and Cancer Program
1924 Alcoa Highway
Knoxville, TN 37920-6999

Deposited on Behalf of: Dr. Alan Solomon/Human Immunology and Cancer Program, University
of Tennessee Medical Center, Knoxville

Identification Reference by Depositor:**Patent Deposit Designation**

Hybridoma cell line λVIII 31-8C7
Hybridoma cell line KI 57-13H12
Hybridoma cell line KIV 11-1F4

PTA-103
PTA-104
PTA-105

The deposits were accompanied by: ___ a scientific description ___ a proposed taxonomic description indicated above. The deposits were received May 21, 1999 by this International Depository Authority and have been accepted.

AT YOUR REQUEST: ☒ We will not inform you of requests for the strains.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 27, 1999. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Manassas, VA 20110-2209 USA.

Signature of person having authority to represent ATCC:

Barbara M. Hailey
Barbara M. Hailey, Administrator, Patent Depository

Date: May 27, 1999

cc: W. David Wallace (Ref. 044137-5025-PR)